

1 **Roger L. DeMik, Esq., VSB # 09099**  
2 **Attorney At Law**  
3 348 Overlook Drive  
4 P.O. Box 459  
5 Lebanon, VA 24266  
6 Telephone: 276-889-1182  
7 Facsimile: 276-889-2215  
8 *Attorney for Plaintiffs*

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION

12 IN RE: BEXTRA AND CELEBREX  
13 MARKETING SALES PRACTICES AND  
14 PRODUCT LIABILITY LITIGATION

Case No.: 3:05-cv-04494-CRB

MDL NO. 1699

District Judge: Charles R. Breyer

15 Billy Bailey, et al.

16 Plaintiffs,

17 vs.

18 Pfizer Inc,

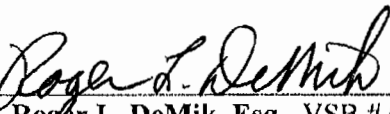
19 Defendant.

20 **STIPULATION AND ORDER OF  
21 DISMISSAL WITH PREJUDICE**

22 Come now the Plaintiff, **Kenard Dales**, in the above-entitled action, and Defendant, by  
23 and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a),  
24 and hereby stipulate to the dismissal of this action **with prejudice** as to the plaintiff named  
25 herein only with each side bearing its own attorneys' fees and costs.

26 DATED: 03/18/, 2010

By:

  
27 Roger L. DeMik, Esq., VSB # 09099  
28 Attorney At Law  
348 Overlook Drive  
P.O. Box 459  
Lebanon, VA 24266

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE**

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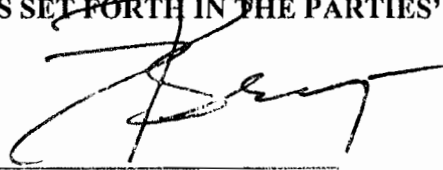
DATED: 03/19, 2010

By: 

Michelle W. Sadowsky  
**DLA Piper US LLP**  
1251 Avenue of the Americas  
New York, NY 10020  
Telephone: 212.335.4625  
Facsimile: 212.884.8675  
*Attorneys for Defendants*

**PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,  
IT IS SO ORDERED.**

Dated: April 5, 2010

  
Hon. Charles R. Breyer  
United States District Court

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE**

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